

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing rule making related to bag limits for bobcats and providing an opportunity for public comment

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.38, 481A.39 and 481A.87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.87.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping fur-bearing animals, including bobcats. This rule making is specific to bobcats and proposes to increase the bag limit for bobcats from one per fur harvester to three per fur harvester in the southern three tiers of counties (Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne). Population data from the past 12 years reveal that Iowa’s bobcat population continues to grow and expand its distribution into more counties with suitable habitat. These data are compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This proposed amendment is biologically responsible, as required by law, and will increase recreational opportunities for Iowa fur harvesters while helping minimize social issues associated with high bobcat densities.

Fiscal Impact

The proposed amendment may have a minor positive fiscal impact to the State Fish and Game Protection Fund. The proposed amendment will enable trappers and hunters to harvest additional bobcats in the affected counties, thereby potentially increasing fur harvester license sales. License revenues are deposited into the State Fish and Game Protection Fund, which is a constitutionally protected funding source for fish and wildlife activities in the state. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions.

Public Comment

Any interested person may submit comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 28, 2019. Comments should be directed to:

Vince Eversizer, Wildlife Biologist
Department of Natural Resources
1203 North Shore Drive
Clear Lake, Iowa 50428
Email: vince.eversizer@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows. Upon arrival, attendees should proceed to the fourth floor to check in at the Department's reception desk and be directed to the appropriate hearing location.

May 28, 2019
12 noon to 1 p.m.

Conference Room 4E
Wallace State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 108.7(3) as follows:

108.7(3) Seasonal bag limit. The seasonal bag limit for river otters is 2 river otters ~~and 1 bobcat~~ per person. The seasonal bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Cedar, Cherokee, Clinton, Crawford, Dallas, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, and Woodbury. The seasonal bag limit for bobcats is 3 bobcats per person in the following counties: Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne. River otters or bobcats trapped in excess of the seasonal bag limit or in a closed area must be turned over to the department; the trapper shall not be penalized.